



City of Alexandria, Virginia
Department of Planning & Zoning

SPECIAL USE PERMIT CERTIFICATE

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this Special Use Permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit	SUP #2017-0096
Approved by Planning and Zoning:	September 13, 2017
Permission is hereby granted to:	The Snack Barr, LLC
to use the premises located at:	2419 Mount Vernon Avenue
for the following purpose:	see attached report

It is the responsibility of the Special Use Permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

September 13, 2017
Date

Karl Moritz / AD
Karl Moritz, Director
Department of Planning and Zoning

DATE: September 13, 2017

TO: Alex Dambach, Division Chief
Department of Planning and Zoning

FROM: Madeleine Sims, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2017-0096
Administrative Review for Change of Ownership
Site Use: Restaurant
Applicant: The Snack Bar, LLC
Location: 2419 Mount Vernon Avenue
(Parcel address: 2401 Mount Vernon Avenue)
Zone: CL/Commercial Low and Mount Vernon Urban Overlay

Request

Special Use Permit #2017-0096 is a request for change of ownership from Caboose Café, LLC to The Snack Bar, LLC. The applicant would not change the operations of the business. It would continue to have including 40 indoor seats and 20 outdoor seats. Indoor operating hours of 6 a.m. to 11 p.m., Sunday through Thursday, and 6 a.m. to 12 a.m., Friday and Saturday, and outdoor dining hours of 6 a.m. to 10 p.m., daily. Limited live entertainment is permitted.

Parking

According to Section 8-200(A)(8) of the Zoning Ordinance, a restaurant is required to provide one parking space for every four seats. Section 11-513 (M) (3) of the Zoning Ordinance exempts the first 20 outdoor dining seats from requiring any dedicated off-street parking. A restaurant with 40 indoor seats and 20 outdoor seats is therefore required to provide 10 parking spaces.

In 1998 (SUP#98-0015), City Council approved a 12-space parking reduction, which fully satisfied the restaurant's 12-space requirement at the time. This parking reduction carried forward to the current applicant as part of this change of ownership.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Del Ray Citizens' Association was sent an e-mail with information about the current application. Staff has not received any comments from residents or adjacent businesses.

Staff Action

Staff does not object to the request for a change in ownership. Staff finds the continuation of a restaurant at this location to be in accordance with the Mount Vernon Overlay Zone, which encourages small-scale, neighborhood serving commercial uses. The proposed use would maintain existing conditions, and since staff has not received any complaints during the review process and in the past, staff does not anticipate a change of ownership intensifying any existing impacts, nor

creating any new impacts. Staff has carried forward conditions. Condition #7 has been amended to reflect the present day standard condition for restaurants serving on-premises alcohol. Condition #19 has been deleted and replaced with Conditions #23 and #24 to require the applicant to publicize alternative transportation options and to participate in a future parking program adopted by the City Council.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: September 13, 2017

Action: Approved



Alex Dambach, Division Chief

- Attachments: 1) Special Use Permit Conditions
2) City Department Comments
3) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2017-0096

The applicant is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z) (SUP #97-0082)
2. The maximum number of indoor seats at the restaurant shall be 40. (P&Z) (SUP #2012-0050)
3. **CONDITION AMENDED BY STAFF:** The maximum number of outdoor seats at the restaurant shall be 20. Outdoor dining at the restaurant shall be substantially consistent with the plan submitted with the application for SUP #2012-0050. No part of the outdoor dining use, including planters, wait stations, and barriers, shall encroach onto the public right-of-way unless authorized by another encroachment ordinance. The outdoor seating area shall not include advertising signage, including on umbrellas. (P&Z) (~~SUP #2012-0050~~)
4. Limited live entertainment may be permitted inside the restaurant. No admission or cover fee shall be charged. All entertainment shall be subordinate to the principal function of the restaurant as an eating establishment. Any advertising of the entertainment shall reflect the subordinate nature of the entertainment by featuring food service as well as the entertainment. Live entertainment shall be limited to inside the restaurant only, and shall not be permitted in the outdoor seating area. (P&Z) (SUP #2012-0050)
5. The hours of operation shall be limited to 6:00 a.m. to 11:00 p.m. Sunday through Thursday, and 6:00 a.m. to 12:00 midnight on Friday and Saturday. The closing hours for the outdoor dining area shall be 10:00 P.M., daily. The outdoor dining area shall be cleared of all diners by 10:00 P.M. and the area cleaned and washed by 10:30 P.M. (P&Z) (PC) (SUP#2004-0092)
6. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z) (SUP 97-0082)
7. **CONDITION AMENDED BY STAFF:** On-premise alcohol ~~beer and wine~~ sales are permitted. Off-premise sales are not permitted. (P&Z) (~~SUP#2004-0092~~)
8. No food, beverages, or other material shall be stored outside. (P&Z) (SUP 97-0082)
9. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. (P&Z) (SUP 97-0082)

10. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z) (SUP 97-0082)
11. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES) (SUP 97-0082)
12. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sound shall be audible at the property line. (P&Z)(T&ES) (SUP #2012-0050)
13. The applicant shall assist and require its employees who drive to use off-street parking. (P&Z) (T&ES) (SUP #2012-0050)
14. Any exterior renovations shall be consistent with the Mt. Vernon Avenue Design Guidelines. (P&Z) (SUP 97-0082)
15. **CONDITION DELETED BY STAFF:** ~~The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey and robbery awareness program. (Police) (SUP#2003-0010)~~
16. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental services. (T&ES) (SUP #2012-0050)
17. The applicant shall post signs directing customers to the locations of available nearby off-street parking. (P&Z) (T&ES) (SUP #2012-0050)
18. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the Special Use Permit one year from this approval and shall docket the matter for consideration by the Planning Commission and City Council if: (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the Director has received a request from any person to docket the permit for review as a result of a complaint that rises to the level of a violation, or (c) the Director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z) (SUP #2012-0050)
19. **CONDITION DELETED BY STAFF AND REPLACED WITH CONDITIONS #23 AND #24:** ~~The applicant shall encourage its employees to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z) (T&ES) (SUP#2012-0050)~~
20. The applicant shall conduct employee training sessions on an ongoing basis, including as

part of any employee orientation, to discuss all SUP provisions and requirements, and to provide instruction preventing underage sales of alcohol. (P&Z) (SUP#2004-0092)

21. There shall be no bar with alcohol service. (PC) (SUP#2004-0092)
22. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)(SUP#2012-0050)
23. **CONDITION ADDED BY STAFF:** The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (P&Z)
24. **CONDITION ADDED BY STAFF:** At such time as an organized parking program is adopted by City Council to assist with employee or customer parking for the area in which the subject property is located, such as a shared parking program or the Park Alexandria program, the applicant shall participate in the program. (P&Z)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2017-0096. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the restaurant at 2419 Mount Vernon Avenue.


Applicant - Signature

Date

SCOTT MITCHELL
Applicant - Printed

9-13-17
Date